

#3

BRENDA POMERANCE

Patent Attorney

260 WEST 52 STREET STE. 27B • NEW YORK, NEW YORK 10019
VOICE/FAX 212 245-3940 CELLPHONE 347 528-3940 BPOMERANCE@TELOCITY.COM

FAX COVER SHEET

DATE: July 3, 2001

TO: US Patent Office Customer Service Center,
Office of Initial Patent Examination
TELEPHONE: 703 308 1202
FAX: 703 308 7751

NO. OF PAGES: 31 (& COVER SHEET)

The following documents are included in this facsimile transmission:

1. Second Response to Notice to File Missing Parts (2 pages)
2. Notice to File Missing Parts (2 pages)
3. Response to Notice to File Missing Parts (5 pages)
4. Copy of return receipt postcard (1 page)
5. Certificate of Mailing (1 page)
6. Credit Card Payment Forms for \$65 and \$130 (2 pages)
7. Petition to Accord Filing Date and Refund Late Filing Fee
with Exhibits A-F (17 pages)
8. Certificate of Transmission by Facsimile (1 page)

THE INFORMATION FORWARDED HERewith IS CONFIDENTIAL AND MAY BE LEGALLY PRIVILEGED. IT IS INTENDED SOLELY FOR THE ADDRESSEE. ACCESS TO THIS INFORMATION BY ANYONE ELSE IS UNAUTHORIZED. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISCLOSURE, COPYING, DISTRIBUTION OR ANY ACTION TAKEN OR OMITTED TO BE TAKEN IN RELIANCE ON IT, IS PROHIBITED AND MAY BE UNLAWFUL. IF YOU HAVE RECEIVED THIS INFORMATION IN ERROR, PLEASE NOTIFY BRENDA POMERANCE TO ARRANGE FOR RETURN OF THE INFORMATION AT NO COST TO YOU.

PATENT
0505-4008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher KEITH

Filed: March 8, 2001

Art Unit: 2165

Examiner:

Serial No.: 09/803,615

Confirmation No.: 7375

Title: AUTOMATED SYNCHRONIZATION OF ORDERS
REPRESENTED IN MULTIPLE MARKETSCERTIFICATE OF TRANSMISSION

I hereby certify that the following attached paper(s) and/or fee

1. Second Response to Notice to File Missing Parts (2 pages)
2. Notice to File Missing Parts (2 pages)
3. Response to Notice to File Missing Parts (5 pages)
4. Copy of return receipt postcard (1 page)
5. Certificate of Mailing (1 page)
6. Credit Card Payment Forms for \$65 and \$130 (2 pages)
7. Petition to Accord Filing Date and Refund Late Filing Fee with Exhibits A-F. (17 pages)

are being facsimile transmitted to:

the United States Patent and Trademark Office,
Fax No. 703 308-7751

on the date indicated below.

Date: July 3, 2001
Brenda Pomrance

CORRESPONDENCE ADDRESS:

Brenda Pomrance
260 West 52 St. Apt. 27B
New York, NY 10019
tel./fax 212 245-3940

PATENT
0505-4008**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Christopher KEITH

Filed: March 8, 2001

Art Unit: 2165

Examiner:

Serial No.: 09/803,615

Confirmation No.: 7375

Title: AUTOMATED SYNCHRONIZATION OF ORDERS
REPRESENTED IN MULTIPLE MARKETS**SECOND RESPONSE TO NOTICE TO FILE MISSING PARTS**Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

Dear Sir:

This is a Duplicate Submission of a Response to the Notice to File Missing Parts in the above-referenced application. The Notice to File Missing Parts is dated June 11, 2001. I mailed the Response on June 14, 2001. The return receipt postcard has not yet arrived. I was advised by telephone that each of the Office of Initial Patent Examination and the Petitions Office do not have the Response.

Accordingly, I am resending the Response that I mailed on June 14, 2001.

I am also resending the Petition to Accord Filing Date and Refund Late Filing Fee that I mailed on June 14, 2001, which has the Response as part of its Exhibits.

Please credit any overpayment to the credit card indicated on the accompany Credit Card Authorization Forms.

PATENT
0505-4008

Please call the undersigned attorney if there are any questions.

Respectfully submitted,

Date: July 3, 2001

Brenda Pomerance
Brenda Pomerance
Reg. No. 36,894

Address:
260 West 52 St. Apt. 27B
New York, NY 10019
voice/fax 212 245-3940



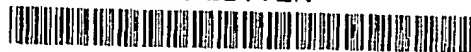
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/803,615 | 03/08/2001 | Christopher Keith | 0505-4008 |

CONFIRMATION NO. 7375

FORMALITIES LETTER



OC000000006166341

Brenda Pomerance
260 West 52 Street, Apartment 27B
New York, NY 10019

Date Mailed: 06/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The following item(s) appear to have been omitted from the application:

- Page(s) 1,2 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

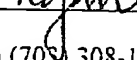
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (709) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

PATENT
0505-4008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher KEITH

Filed: March 8, 2001

Art Unit: 2165

Examiner:

Serial No.: 09/803,615

Confirmation No.: 7375

Title: AUTOMATED SYNCHRONIZATION OF ORDERS
REPRESENTED IN MULTIPLE MARKETS**RESPONSE TO NOTICE TO FILE MISSING PARTS**Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

Dear Sir:

Enclosed is a copy of a Notice to File Missing Parts in the above-referenced application, indicating that the Declaration is missing and a late filing fee surcharge of \$65 is due.

A signed Declaration was submitted with the application when filed. A copy of the original Declaration is attached. Applicant requests that the copy of the original Declaration be accepted.

A Credit Card Authorization Form for the amount of the late filing fee surcharge, \$65, is also enclosed.

Withdrawal of the late filing fee surcharge is also requested, since the Declaration was timely filed with the application.

page 1 of 5

PATENT
0505-4008

Please call the undersigned attorney if there are any questions.

Respectfully submitted,

Date: June 14, 2001

Address:
260 West 52 St. Apt. 27B
New York, NY 10019
voice/fax 212 245-3940

Brenda Pomerance

Brenda Pomerance
Reg. No. 36,894

page 2 of 5

PATENT
0505-4008

**AUTOMATED SYNCHRONIZATION OF ORDERS
REPRESENTED IN MULTIPLE MARKETS**

The present application is a continuation-in-part of U.S. application serial number 09/546,031, filed April 10, 2000, which is hereby incorporated by reference.

BACKGROUND OF THE INVENTION

The present invention relates to trading systems such as for financial instruments and other goods and services, and more particularly, is directed to a system that forms a platform for processes that can be flexibly configured to interact with each other.

Conventional financial instrument trading systems assume a particular set of rules and protocols must be used during trading. However, the financial industry is a hotbed of rapidly changing ideas and trends; because the development time and expense associated with a conventional trading system cannot change accordingly, financial innovation is stifled.

Due to the rapid proliferation of methodologies and competitors, practitioners are experiencing increasing difficulty in finding best markets, as required by their fiduciary obligations.

Meanwhile, the stress of person-to-person trading is increasing as the volume of information that must be assimilated by an individual trader increases. Despite the ever faster pace of financial markets, there is a desire to give each party's order the sort of personalized service that becomes increasingly difficult with the increasing market pace.

On the other hand, the rate at which the structure of financial markets changes is slow, in part due to the huge technology costs. The costs include building new systems and connecting practitioners to the new systems.

Finally, personal relationships remain key in large trades, that is, computer-based trading technology has not been adopted by large block traders, who still rely on the telephone. This fact has not been accommodated in conventional trading systems, which generally require practitioners to change their practices to what can be readily automated from a system implementer's viewpoint; private interpersonal agreements and arrangements have been considered unsuitable for automation in conventional trading systems.

Accordingly, there is a need for a fresh methodology for developing financial instrument trading systems.

PATENT
0505-4008

SUMMARY OF THE INVENTION

In accordance with an aspect of this invention, there is provided a method of operating an internal market. An order is automatically represented in the internal market and an external market. It is automatically ensured that the order is executable in at most one of the internal market and the external market.

In accordance with another aspect of this invention, there is provided a method of synchronizing an internal market and an external market. An action is automatically received from one of the internal and external markets. The action is automatically transmitted to the other of the internal and external markets. When a response has not been received within a predetermined time, a zero action is automatically sent to the one of the internal and external markets.

In a further aspect, a response is received after the predetermined time and a negative acknowledgement is sent to the other of the internal and external markets.

In accordance with an aspect of this invention, there is provided a method of operating a market. Performance of an action received from another market is automatically attempted. The action is automatically committed after ensuring availability of resources for the action.

In accordance with an aspect of this invention, there is provided a method of operating an internal market. Performance of an action received from a local trading process is automatically attempted. The action is automatically committed after ensuring that the action is reflected in an external market.

In a further aspect, the internal and external markets follow a two phase protocol for committing actions.

In accordance with an aspect of this invention, there is provided a method of synchronizing two markets. An order file is transmitted from one of the markets that has been dominant to the other of the markets that has been slaved. The order file is updated to reflect activity that occurred while the order file was being transmitted from the formerly dominant market to the formerly slaved market.

It is not intended that the invention be summarized here in its entirety. Rather, further features, aspects and advantages of the invention are set forth in or are apparent from the following description and drawings.

Serial No. 09/803,615 Docket No. 0505-4008
Date Mailed: 14 Jun 01 Date Due: 11 Aug 01

The return of this postcard, properly stamped, acknowledges receipt in the U.S. Patent & Trademark Office of the following:

1. Petition to Accord Filing Date and Refund Late Filing Fee
 - Surcharge
 2. Exhibit A -- Notice to File Missing Parts
 3. Exhibit B -- Copy of stamped return receipt postcard
 4. Exhibit C -- Copy of first page of appl. ser. no. 09/801,848
 5. Exhibit D -- Response to Notice to File Missing Parts
 - (ORIGINAL)
 6. Exhibit E -- Copies of missing Declaration and pages 1-2 of
 - specification
 7. Credit card authorization for \$65 (Response to Notice to File
 - Missing Parts)
 8. Credit card authorization for \$130 (Petition to Accord Filing
 - Date)
 9. Certificate of Mailing by First Class Mail
-

PATENT
0505-4008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher KEITH

Filed: March 8, 2001

Art Unit: 2165

Examiner:

Serial No.: 09/803,615

Confirmation No.: 7375

Title: AUTOMATED SYNCHRONIZATION OF ORDERS
REPRESENTED IN MULTIPLE MARKETS**CERTIFICATE OF MAILING**

I hereby certify that the following attached paper(s) and/or fee

1. Petition to Accord Filing Date and Refund Late Filing Fee Surcharge-
2. Exhibit A -- Notice to File Missing Parts
3. Exhibit B -- Copy of stamped return receipt postcard
4. Exhibit C -- Copy of first page of appl. ser. no. 09/801,848
5. Exhibit D -- Response to Notice to File Missing Parts (ORIGINAL)
6. Exhibit E -- Copies of missing Declaration and pages 1-2 of specification
7. Credit card authorization for \$65 (Response to Notice to File Missing Parts)
8. Credit card authorization for \$130 (Petition to Accord Filing Date)
9. Return receipt postcard

are being deposited with the United States Postal Service with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated below in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date: June 14, 2001
Brenda Pomerance

CORRESPONDENCE ADDRESS:

Brenda Pomerance
260 West 52 St. Apt. 27B
New York, NY 10019
212 245-3940

Substitute Form PTO-2038 (02-2000)

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

| Credit Card Information | |
|--|---------------------|
| Credit Card Type: | VISA |
| Credit Card Account #: | 4417 1284 1536 0401 |
| Credit Card Expiration Date: | 06/04 |
| Name as it Appears on Credit Card: | BRENDA POMERANCE |
| Payment Amount: \$ (US Dollars): | 65.00 |
| Signature: <i>Brenda Pomerance</i> | Date: June 14, 2001 |
| <small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor or such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.</small> | |
| <small>Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).</small> | |

| Credit Card Billing Address | | | |
|------------------------------------|--------------------------|------------------|--------------|
| Street Address 1: | 260 West 52 St. Apt. 27B | | |
| City: | New York | | |
| State: | NY | Zip/Postal Code: | 10019 |
| Country: | USA | | |
| Daytime Phone #: | 212 245-3940 | Fax #: | 212 245-3940 |

| Request and Payment Information | |
|---|------------|
| Description of Request and Payment Information: <i>Notice to File Missing Parts, Late Filing Fee Surcharge</i> | |
| Patent Fee Application No. | 09/803,615 |
| Attorney Docket No.: | 0505-4008 |

Substitute Form PTO-2038 (02-2000)

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

| Credit Card Information | |
|--|---------------------|
| Credit Card Type: | VISA |
| Credit Card Account #: | 4417 1284 1536 0401 |
| Credit Card Expiration Date: | 06/04 |
| Name as it Appears on Credit Card: | BRENDA POMERANCE |
| Payment Amount: \$ (US Dollars): | 130.00 |
| Signature: <i>Brenda Pomerance</i> | Date: June 14, 2001 |
| <small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor or such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.</small> | |
| <small>Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).</small> | |

| Credit Card Billing Address | |
|-----------------------------|--------------------------|
| Street Address 1: | 260 West 52 St. Apt. 27B |
| City: | New York |
| State: | NY |
| Zip/Postal Code: | 10019 |
| Country: | USA |
| Daytime Phone #: | 212 245-3940 |
| Fax #: | 212 245-3940 |

| Request and Payment Information | |
|---|--------------------------------|
| Description of Request and Payment Information: <i>Petition to Accord Filing Date and Refund Late Filing Fee Surcharge</i> | |
| Patent Fee Application No. 09/803,615 | Attorney Docket No.: 0505-4008 |